

From: Chris CTR Rinehart
To: Microsoft ATR
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Subject: Microsoft Settlement

To Whom It May Concern:

The negotiated settlement between the DOJ and Microsoft is flawed. Microsoft in the past has violated previous negotiated settlements about bundling of products and its business practices with its OEM partners.

Case in point:

Forcing OEM equipment manufactures to preinstall an OS on any new computer that a consumer will purchase. This forces the Microsoft Windows Monopoly, by forcing consumers to buy a copy of Windows for their computer. What if that consumer has already purchased a legal copy of the Windows and their previous computer has suffered a catastrophic hardware failure. Does this void the Windows licensing agreement on the previous copy of Windows. No it does not. So when the consumer goes to purchase another machine from an OEM (i.e. Dell, Gateway, or any other third party OEM) they are forced to purchase another copy of Windows usually at a price of \$89 or more, and usually the consumer does not end up with the product CD. Instead the OEM bundles more products onto a recovery CD that has more Microsoft software and other software specifically for the machine purchased. So the consumer never sees a legitimate copy of the program for their own use on the purchase of a future system.

Another Case In Point:

Windows XP - has bundled with it a personal firewall, forced registration of the product or it automatically expires after 14 days, CD burning software, Internet explorer (what started this Antitrust action in the first place), mandatory registration for their new .NET PASSPORT Service (which could lead to Microsoft controlling the Internet and e-commerce), and other products.

So by continue to bundle products into Windows XP even during the Antitrust Action. Is this a sign of good faith by Microsoft to changes its business practices even during the time that they were under litigation with the DOJ and 18 States? I tell you NO IT IS NOT! This just proves that your settlement has signaled that Microsoft can and will continue to get away with abusing its business partners and consumers.

I urge the DOJ to force Microsoft to give up its windows source code as a permanent remedy. But allow Microsoft to be the technical advisor of an open source Windows Specs. to help guide software manufactures to develop a more stable, secure Windows platform.

Thank you

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